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Facsimile Transmittal

DATE: November 22, 2005

TO: USPTO

ATTN: PETITION TO WITHDRAW ABANDONMENT

RE: Serial No. 10/053,398

FAX : 571-273-8300

FROM: George C. Pappas

Number of Pages Sent: 16 (including this transmittal cover sheet)

ATTACHED HERETO PLEASE FIND A COPY OF NOTICE OF ABANDONMENT IN 1-PAGE; PETITION TO WITHDRAW HOLDING OF ABANDONMENT IN ACCORDANCE WITH CFR 1.181 IN 2 PAGES; COPY OF FAX TRANSMITTAL IN 1-PAGE; AMENDMENT IN 9 PAGES; AMENDMENT TRANSMITTAL FORM 2 PAGES.

PLEASE CALL ME IF YOU HAVE ANY QUESTIONS.

I hereby certify that this correspondence is being sent VIA FACSIMILE to the Commissioner of Patents at fax number (571) 273-8300. Attention Office of Amendments, on:

11/22/05
(Date of Deposit)

Daria D. Kasmedo
(Name of the Person Making the Deposit)

(Signature)



UNITED STATES PATENT AND TRADEMARK OFFICE

668

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,398	01/17/2002	Subramanya P. Rao	010478	1283

23696 7390 10/12/2005

Qualcomm, NC
5775 Morehouse Drive
San Diego, CA 92121

EXAMINER

NGUYEN, THUAN T

ART UNIT

PAPER NUMBER

2685

DATE MAILED: 10/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Patent Docketing
OCT 18 2005
QUALCOMM Inc

NOV 22 2005

Notice of Abandonment	Application No.	Applicant(s)	
	10/053,398	RAO ET AL.	
	Examiner	Art Unit	
	THUAN T. NGUYEN	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

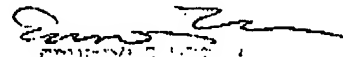
This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 6/16/04.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Patent Docketing

OCT 18 2005

QUALCOMM Inc


EDWARD P. LAVELLE
ATTORNEY AT LAW
TECHNOLOGY CENTER LLC

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

u

Confirmation Report - Memory Send

Time : Aug-16-2004 02:29pm
Tel line : +
Name : 8588456880

Job number : 671
Date : Aug-16 02:26pm
To : 917038729306#
Document pages : 012
Start time : Aug-16 02:26pm
End time : Aug-16 02:29pm
Pages sent : 012
Status : OK

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Facsimile Transmittal

DATE: August 16, 2004
TO: USPTO
ATTN: EXAMINER Thuan T. Nguyen
RE: Serial No. 10/053,398
FAX : 703-872-9306
FROM: George C. Pappas, Reg. No. 35,065
Number of Pages Sent: 12 (including this transmittal cover sheet)

ATTACHED HERETO IS AN AMENDMENT IN (9) PAGES; A ONE (1) PAGE TRANSMITTAL. PLEASE CALL ME IF YOU HAVE ANY QUESTIONS.

I hereby certify that this correspondence is being sent VIA FACSIMILE to the Commissioner of Patents at fax number (703) 872-9306. Attention: Office of Amendments, on:

August 16, 2004 (Date of Deposit)

Signature of the Person Making the Deposit
George C. Pappas

NOV 22 2005

AMENDMENT TRANSMITTAL FORM

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer No.: 23696
Attorney Docket No.: 010478
In Re Application of: Rao et al.
Serial Number: 10/053,398
Filed: January 17, 2002
Examiner: Thuan T. Nguyen
Group Art Unit: 2685

Dear Sir:

Transmitted herewith for filing is a Response to Office Action in the above identified application.

CLAIMS	(a) Number Remaining After Amendment	(b) Highest Number Previously Paid For	(c) Extra Claims	Large Entry Fee	Fee Paid
Total*	20	20	0	x \$18 =	\$
Independent**	10	12	0	x \$86 =	\$
Multiple Dependent Claim(s): <input type="checkbox"/> Yes <input type="checkbox"/> No				\$290	\$
EXTENSION FEES			<input checked="" type="checkbox"/> One Month	\$110	\$110
			<input type="checkbox"/> Two Months	\$420	\$
			<input type="checkbox"/> Three Months	\$950	\$
TERMINAL DISCLAIMER				\$110	\$
				TOTAL FEE	\$110

*If the number in column a is less than 20, enter 0 in column c.
**If the number in column a is less than 3, enter 0 in column c.

4. ☐ Fee check in the amount of \$_____ is enclosed to pay for any claim and/or extension fees.
5. ☒ Please charge Deposit Account No. 17-0026 of QUALCOMM Incorporated the amount of \$110.
The Commissioner is hereby authorized to charge payment of any additional fees which may be required, or credit any overpayment to said Deposit Account No. 17-0026. A duplicate of this sheet is enclosed for fee processing.
6. ☒ The Commissioner is further hereby authorized to charge to said Deposit Account No. 17-0026, pursuant to 37 CFR 1.25(b), any fee whatsoever which may become properly due or payable, as set forth in 37 CFR 1.16 to 37 CFR 1.18 inclusive, for the entire pendency of this application without specific additional authorization.

Date: August 16, 2004

Signature:

by: T. Roth, F. Lewis
George C. Pappas, Reg. No. 35,065
Phone No. 858-651-1306
Reg. No. 37,383

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-5787
Facsimile: (858) 658-2502

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Depositor's Name: _____
(type or print name)

Date: August 16, 2004

FACSIMILE

- ☒ transmitted by facsimile to the Patent and Trademark Office.

Depositor's Name: Ann Andrews
(type or print name)

Signature: _____

(TRANSAMD.VER1.13-04/30/04)